

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA, :
:
Plaintiff, :
:
v. : Cr.A. No.
:
RAFAEL SANTIAGO, :
:
Defendant. :
:

**MOTION REQUESTING LEAVE
TO WITHDRAW AS COUNSEL**

COMES NOW, John S. Malik, counsel for Defendant Rafael Santiago, and respectfully requests that this Honorable Court grant counsel leave to withdraw his appearance on behalf of Defendant Rafael Santiago in the above captioned criminal action based upon the following grounds:

1. Counsel entered his appearance on behalf of Defendant Rafael Santiago on February 2, 2007.
2. Subsequently, after learning additional information regarding the subject criminal action from the United States Attorney's Office, counsel became aware of an irreconcilable conflict of interest that precludes counsel from representing Defendant Santiago.
3. As a consequence of counsel's conflict of interest, counsel seeks leave of court to withdraw from representation of Defendant Santiago in connection with the subject criminal action.

WHEREFORE, John S. Malik, counsel for Defendant Rafael Santiago respectfully requests that this Honorable Court grant counsel leave to withdraw his appearance on behalf of Defendant Rafael Santiago.

Respectfully submitted,

/s/ John S. Malik
JOHN S. MALIK
East 14th Street
Wilmington, Delaware 19801
(302) 427-2247

Dated: March 1, 2007

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA, :
:
Plaintiff, :
:
v. : Cr.A. No. 07-CR-014-SLR
:
RAFAEL SANTIAGO, :
:
Defendant. :
:

ORDER

AND NOW, TO WIT, this _____ day of _____,
A.D., 2007, counsel's Motion Requesting Leave to Withdraw his appearance on behalf of
Defendant Rafael Santiago having been duly heard and considered,

IT IS SO ORDERED:

That John S. Malik is hereby granted leave of Court to withdraw his appearance
on behalf of Defendant Rafael Santiago in the above captioned criminal action.

J.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :
: Plaintiff, :
: v. : Cr.A. No. 07-CR-014-SLR
RAFAEL SANTIAGO, :
: Defendant. :
:

CERTIFICATE OF SERVICE

I, John S. Malik, hereby certify this 1st day of March, A.D., 2007, that a copy of the attached **Motion Requesting Leave to Withdraw as Counsel** was served electronically upon the individual listed below at the following address:

Douglas E. McCann, Esquire
Assistant United States Attorney
United States Attorney's Office
Nemours Building
1007 Orange Street, Suite 700
Wilmington, Delaware 19801

/s/ John S. Malik _____
JOHN S. MALIK
100 East 14th Street
Wilmington, Delaware 19801
(302) 427-2247